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BLOOD ALCOHOL LEGAL LEVEL INCREASE

*An estimated 58,500
people in Michigan
sustain a TBI
annually*

*An estimated 98,000
people in Michigan
(excluding returning
service members)
currently live with
lifelong disabilities
as a result of a TBI*

*TBI is the leading
cause of death and
disability in children
and adolescents*

*Falls result in the
greatest number of
TBI-related
hospitalizations*

*Motor vehicle crashes
are the leading cause
of TBI-related death*

Issue

Section 257.625 (1) (b) of the Michigan Vehicle Code currently states that the term "operating while intoxicated" is defined as, "The person has an alcohol content of 0.08 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine, or, **beginning October 1, 2018, the person has an alcohol content of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.**"

Background

In 2007, SB 104 was passed enforcing stricter standards for the registration, titling, sale and overall regulation of vehicles on auto dealers, chauffeurs and operators. Part of this needed legislation, however, also incorporated a "sunset" provision that was supposed to increase the blood alcohol legal limit from .08 to .10, effective October 1, 2013. In 2013, HB 4567 (P.A. 219) was passed that moved the effective date of that increase from October 1, 2013 to the impending date of October 1, 2018.

Our Position

According to statistics from the Michigan State Police, an average of 37.1% motor vehicle deaths from 2004 to 2014 involved alcohol and/or drugs. Motor vehicle crashes are also the second-leading cause of Traumatic Brain Injury (TBI) and the leading cause of TBI-related deaths in Michigan.

To knowingly and legally provide the opportunity for more alcohol-impaired drivers to operate their vehicles on our state's roads by raising the blood alcohol legal limit seems incomprehensible.

The Brain Injury Association of Michigan is strongly opposed to any increase in the current blood alcohol legal limit of .08, and will be seeking and supporting legislation this year to maintain the .08 threshold and eliminate the blood alcohol legal limit increase language of HB 4567 (P.A. 219) altogether.